

Application No. 10/260,863
Amendment in Response to Office Action mailed January 10, 2006
Page 6 of 10

REMARKS

Claims 1, 4, 8, 11, 13, and 15 have been amended and claims 7 and 14 have been canceled. Thirteen (13) claims remain pending in the application: Claims 1-6, 8-13, and 15. Reconsideration of claims 1-6, 8-13, and 15 in view of the amendments above and remarks below is respectfully requested.

By way of this amendment, Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Claim Objections

Claims 1, 8, and 15 stand objected to because it is allegedly "unclear what applicant means as 'complementary shape that includes an empty volume.'" Applicant hereby amends claims 1, 8, and 15 to more clearly describe that which is claimed and respectfully request withdrawal of the present objection to the claims.

Claims 13 and 14 stand objected to because these claims are directed to an apparatus but depend from claim 7, which is directed to a method. Applicant hereby amends claim 13 to depend from claim 8 and cancel claim 14. Accordingly, Applicant submits that the present objection to claims 13 and 14 is moot.

Claim Rejections - 35 U.S.C. §102

Claims 8-10 and 12-15 stand rejected under 35 U.S.C. § 102(b), as being allegedly anticipated by U.S. Patent App. Pub. No. 2003/0011976 (herein referred to as *Treiber et al.* '976). This rejection is respectfully traversed and reconsideration is requested.

As set forth at M.P.E.P. § 2131, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Claim 8 has been amended to incorporate subject matter previously recited in

443105_1

Application No. 10/260,863
Amendment in Response to Office Action mailed January 10, 2006
Page 7 of 10

claim 14. Accordingly, claim 8 is now directed to an apparatus that includes, among other elements, "a first computer chassis and a second computer chassis joined to the first computer chassis, wherein a shape of the first computer chassis is identical to a shape of the second computer chassis"

Rejecting the subject matter presently incorporated into claim 8, the Office Action suggests that the chassis 10 and the pod 100 of *Treiber et al.* '976 "are formed into an identical complementary shape...." Applicant respectfully disagrees.

As is clearly shown in FIG. 4 of *Treiber et al.* '976, the shape of the chassis 10 and the pod 100 are different. Thus, the shapes of the chassis 10 and the pod 100 cannot be identical. Because *Treiber et al.* '976 does not teach each and every element as set forth in claim 8 as presently amended, Applicant respectfully submits that claim 8 is not anticipated by *Treiber et al.* '976. Claims 9, 10, 12, and 13 depend from claim 8 and, therefore, include all of the elements recited in claim 8. Therefore, Applicant respectfully submits that claims 9, 10, 12, and 13 are not anticipated by *Treiber et al.* '976.

Further, contrary to representations made in the present Office Action, *Treiber et al.* '976 does not teach the subject matter recited in claims 9, 10, 12, and 13. Accordingly, Applicant respectfully submits that claims 9, 10, 12, and 13 are not anticipated by *Treiber et al.* '976.

For at least the reasons set forth above, withdrawal of the present rejection of claim 8 and claims 9, 10, 12, and 13, which depend from claim 8, is respectfully requested.

With respect to claim 15, the present Office Action suggests that the chassis 10 and pod 100 of *Treiber et al.* '976 are "arranged in a single chassis component of a pallet layout wherein a rectangular volume of the ... [pod 100 and chassis 10] is less than twice a rectangular volume of a single computer chassis."

Applicant respectfully submits, however, that *Treiber et al.* '976 is completely silent as to any teaching that the chassis 10 and pod 100 are "arranged in a single chassis component...." Moreover, *Treiber et al.* '976 fails to teach what is actually recited in claim 15 (e.g., arranging the first and second computer chassis in a single chassis compartment of a pallet

443105_1

Application No. 10/260,863
Amendment in Response to Office Action mailed January 10, 2006
Page 8 of 10

layout wherein...." Because *Treiber et al.* '976 does not teach each and every element as set forth in claim 15, Applicant respectfully submits that claim 15 is not anticipated by *Treiber et al.* '976. For at least this reason, withdrawal of the present rejection of claim 15 is respectfully requested.

Claim Rejections - 35 U.S.C. §103

Claims 1-7 and 11 stand rejected under 35 U.S.C. § 103(a), as being allegedly unpatentable over U.S. Patent No. 6,324,062 (herein referred to as *Treiber et al.* '062) in view of U.S. Patent No. 5,159,528 (*Murphy*). This rejection is respectfully traversed and reconsideration is requested.

As set forth at M.P.E.P. § 2143.03, a *prima facie* case of obviousness of a claimed invention is established when, among other requirements, all the claim limitations are taught or suggested by the prior art.

Claim 1 has been amended to incorporate subject matter previously recited in claim 7. Accordingly, claim 1 is now directed to a method that includes, among other elements, "forming a first and second computer chassis, wherein a shape of the first computer chassis is identical to a shape of the second computer chassis...."

Applicant notes that the subject matter presently incorporated into claim 1 is similar to that presently incorporated into claim 8. Applicant further notes that *Treiber et al.* '976 is a continuation of *Treiber et al.* '062. Thus, arguments presented above with respect to the rejection of subject matter presently incorporated into claim 8 (in addition to subject matter recited in claims 9, 10, 12, and 13) are similarly applicable to the rejection of subject matter presently incorporated into claim 1 (in addition to subject matter recited in claims 2-6). Moreover, *Murphy* does not add any teaching which, when combined with *Treiber et al.* '062, would render claim 1 obvious. Because the combination of *Treiber et al.* '062 in view of *Murphy* does not teach or suggest every element set forth in claim 1 as presently amended, Applicant respectfully submits that claim 1 is not rendered obvious by the combination *Treiber et al.* '062 in view of *Murphy*. Claims 2-6 depend from claim 1 and, therefore, include all of the

443105_1

Application No. 10/260,863
Amendment in Response to Office Action mailed January 10, 2006
Page 9 of 10

elements recited in claim 1. Therefore, Applicant respectfully submits that claims 2-6 are not rendered obvious by the combination of *Treiber et al. '062* in view of *Murphy*.

Further, claim 11 depends from claim 8 and, therefore, includes all of the elements recited in claim 8. As established above, claim 8 is not anticipated by *Treiber et al. '976* (or *Treiber et al. '062*). *Murphy* does not add any teaching which, when combined with either *Treiber et al. '976* or *Treiber et al. '062*, would render claim 8 obvious. Because the combined references do not teach or suggest each and every element set forth in claim 8 as presently amended, Applicant respectfully submits that claim 11 is not rendered obvious by the combination *Treiber et al. '062* in view of *Murphy*.

For at least the reasons set forth above, withdrawal of the present rejection of claim 1, claims 2-6, which depend from claim 1, and claim 11, is respectfully requested.

443105_1

Application No. 10/260,863
Amendment in Response to Office Action mailed January 10, 2006
Page 10 of 10

CONCLUSION

Applicant submits that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,



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443105_1